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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/804,825	03/13/2001	Kimihito Yamasaki	55698(904)	2050

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EXAMINER	
COLLINS, SCOTT M	
ART UNIT	**PAPER NUMBER**
2145	

DATE MAILED: 10/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/804,825	YAMASAKI ET AL.	
	Examiner	Art Unit	
	Scott M. Collins	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 March 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-32* is/are pending in the application.

4a) Of the above claim(s) *11-32* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *03/13/2001*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-32 examined.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Election/Restrictions

3. Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1-10, drawn to a managed device communicating device info in an e-mail attachment to a managing device, classified in class 709, subclass 246.

II. Claims 11-32, drawn to an abnormality detecting section, an abnormality management table, and a transmission processing section that produces an abnormality report mail when an abnormal state is detected, classified in class 714, subclass 57.

4. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

5. During a telephone conversation with Peter Manus (Reg. Num. 26,766) on 10/15/2004 a provisional election was made without traverse to prosecute the invention of group 1, claims 1-10. Affirmation of this election must be made by applicant in replying to this Office action. Claims 11-32 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Karim, U.S. Patent Number 6,654,892 (herein referred to as Karim).

8. Referring to claims 1 and 8-10, Karim has taught an information communication device notifying a managing device of device information (which the managing device uses to perform remote management) about a management target device by electric mail (which is caused by the target device), said information communication device comprising a transmission processing section that converts the device information into attached data, and transmits an electric mail containing the attached data to said managing device (Karim figures 3-5; column 3, lines 38-39; column 4, line 48 – column 5, line 3; and column 5, line 50 – column 6, line 25 where a managed device updates status to a managing device.).

9. Referring to claims 2 and 3, Karim has taught the information communication device wherein said transmission processing section is set so as to convert a part the device information into mail data in an electric mail format, while to convert the other part of the device information into attached data, and to transmit an electric mail containing the attached data and the mail data to said managing device (Karim column 5, lines 1-3; and column 5, line 50 – column 6, line 25).

10. Referring to claim 4, Karim has taught the information communication device wherein said transmission processing section is set so as to convert use information indicative of a state of use said management target device into attached data (Karim column 7, lines 31-58).

11. Referring to claim 5, Karim has taught the information communication device wherein said transmission processing section is set so as transmit device information about a plurality of management target devices located in a predetermined area by a same electric mail (Karim column 11, lines 19-65 discusses multiple devices).

12. Referring to claim 6, Karim has taught the information communication device wherein said transmission processing section is set so as to send the electric mail transmitted to the manager, also to another destination according request by a user (Karim column 3, lines 55-68).

13. Referring to claim 7, Karim has taught the information communication device wherein said transmission processing section includes an encoding section for encoding attached data, and is set so as to have the encoded attached data in an electric mail (Karim column 4, lines 48-67; and column 6, lines 32-48).

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a.	Milewski et al.	U.S. Patent Number 6,501,834
b.	Chapman et al.	U.S. Patent Number 6,522,421
c.	Sekizawa	U.S. Patent Number 6,430,711
d.	Goddard et al.	U.S. Patent Number 6,622,266
e.	Srinivasan	U.S. Patent Number 6,452,689
f.	Fowler et al.	U.S. Patent Number 6,714,977
g.	Lim et al.	U.S. Patent Number 6,374,296
h.	Maeda	U.S. Patent Number 6,557,033

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott M. Collins whose telephone number is 703.305.7865 [571.272.3934 as of 10/28/04]. The examiner can normally be reached on Mon.-Fri. 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on 703.308.5221 [571.272.3923 as of 10/29/04]. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

smc
October 20, 2004

BUNJOB JAROENCHONWANIT
PRIMARY EXAMINER